

REMARKS:

Claims 1-21 are pending in the application. By this amendment, claims 1, 6-8, 12, and 16-21 are amended; claims 9-11 are cancelled; and claims 22 and 23 are newly presented. Applicant requests reconsideration and allowance in view of the above amendments and the following remarks.

Claims 1-4, 6, 7, 9-11, 18, 20, and 21 are rejected under 35 U.S.C. § 102(b) as anticipated by Okawa et al., JP 02173313. Claims 5 and 15 are rejected under 35 U.S.C. § 103(a) based on Okawa in view of Ciapetta et al., U.S. 3,471,265, on which the Examiner relies for disclosure of a perforated plate covering a pipe portion disclosed as a venture. Claims 8, 12-17, and 19 are rejected under 35 U.S.C. § 103(a) based on Okawa, the Examiner taking Official Notice that sound-permeable fabric is commonly used to let sound flow freely while preventing debris from entering a sound-generating system (e.g., as in speaker grilles). To the extent claims 9-11 are cancelled, the § 102 rejection is moot. Otherwise, Applicant requests reconsideration and allowance of the various rejections.

As clarified by the present amendments, the perforation forms at least part of a passageway by means of which air-carried sound pressure energy can be released from inside of the conduit into the surrounding, outside, ambient atmospheric environment. In Okada, in contrast, the perforations are located within a sealed encasing muffler, which muffler is filled with sound absorbing material. Thus, the perforations in the Okada configuration do not allow air-carried sound pressure energy to pass into the outside, ambient atmospheric environment. Accordingly, Okada by itself does not disclose or suggest the various claims that have been rejected as anticipated or obvious, respectively, based on Okada by itself.

Moreover, with regard to the combination obviousness-based rejections based on other references or what the Examiner has taken to be common knowledge, Applicant submits that the Okada configuration would preclude one of skill in the art from making the asserted combinations/modifications. In particular, because the perforations in Okada are contained within the sealed, sound-absorbing-material-filled muffler, there would be no reason to surround the perforations with a perforated plate or sound-transmitting fabric. But for hindsight-based

“stapling together” of components, the proffered combination of references/common knowledge simply would not have been made.

In view of the foregoing, Applicant submits that all claims are in condition for allowance, and timely Notice to that effect is respectfully requested.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 7589.127.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Tracy Druce", written in a cursive style.

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